



# **Legislative Audit Division**

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State of Montana

Report to the Legislature

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March 2006

## **Special Report to the Legislature For the Six Fiscal Years Ended June 30, 2004**

### **Public Defender Services in Six Selected Counties**

- Cascade
- Flathead
- Gallatin
- Lewis and Clark
- Missoula
- Yellowstone

Direct comments/inquiries to:  
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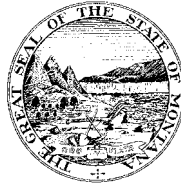
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# LEGISLATIVE AUDIT DIVISION

Scott A. Seacat, Legislative Auditor  
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Chief Deputy Legislative Auditor



Deputy Legislative Auditors:  
James Gillett  
Jim Pellegrini

March 2006

The Legislative Audit Committee  
of the Montana State Legislature:

This is the report for our engagement to compile the costs incurred to provide public defender services in six Montana counties. This report provides information about the public defender services costs in Cascade, Flathead, Gallatin, Lewis and Clark, Missoula, and Yellowstone counties from July 1, 1998, through June 30, 2004.

The Public Defender Services costs were compiled for each county by Anderson ZurMuehlen & Co., P.C., under contract with the Legislative Audit Division. The county reports from Anderson ZurMuehlen & Co., P.C., each contained an Independent Accountant's Report, stating the procedures performed and there is no expression of an audit opinion.

We thank Anderson ZurMuehlen & Co., P.C., the county commissioners, county employees, and Montana Association of Counties for their assistance and cooperation during this engagement.

Respectfully submitted,

*/s/ Scott A. Seacat*

Scott A. Seacat  
Legislative Auditor

# **Legislative Audit Division**

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**Special Report to the Legislature**

**For the Six Fiscal Years Ended June 30, 2004**

## **Public Defender Services in Six Selected Counties**

Member of the audit staff involved in this engagement was Angie Lang.

## Table of Contents

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List of Tables and Figures .....	ii
County Officials.....	iii
<b>Introduction.....</b>	<b>1</b>
Introduction.....	1
Engagement Scope.....	1
Engagement Approach.....	1
<b>County Profiles.....</b>	<b>3</b>
County Profiles .....	3
<b>Cascade County.....</b>	<b>7</b>
Cascade County .....	7
<b>Flathead County.....</b>	<b>16</b>
Flathead County.....	16
<b>Gallatin County.....</b>	<b>25</b>
Gallatin County.....	25
<b>Lewis and Clark County .....</b>	<b>34</b>
Lewis and Clark County .....	34
<b>Missoula County.....</b>	<b>43</b>
Missoula County.....	43
<b>Yellowstone County .....</b>	<b>52</b>
Yellowstone County .....	52

## List of Tables

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<u>Table 1</u>	Total Public Defender Costs .....	3
<u>Table 2</u>	Percentage of Total Public Defender Costs.....	4
<u>Table 3</u>	Total Public Defender Costs Reimbursed by the State .....	5
<u>Table 4</u>	Total Public Defender Costs Not Reimbursed by the State .....	5

## **County Officials**

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<b>Cascade County</b>	Randy Hand, Finance Officer
<b>Flathead County</b>	Paula Robinson, County Clerk & Recorder
<b>Gallatin County</b>	Dan Eschenbaum, Accountant
<b>Lewis and Clark</b>	Nancy Everson, Director of Finance
<b>Missoula County</b>	Dale D. Bickell, Chief Financial Officer
<b>Yellowstone County</b>	Scott Turner, Finance Director
<b>Legislative Audit Division</b>	Angie Lang, Coordinator for Audit Development

# Introduction

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## Introduction

The 59<sup>th</sup> Legislature passed Senate Bill 146. The legislation, also known as the Montana Public Defender Act, "created a statewide public defender system to deliver assigned counsel services in state, county, municipal, and city courts." The legislation created the Office of the Public Defender (office), which is charged with implementing the new statewide public defender system.

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## Engagement Scope

The scope of this engagement was set forth in section 72 of Senate Bill 146. The legislation called for an engagement to determine the actual costs for public defender services in District Court and Justice Court proceedings incurred from July 1, 1998 through June 30, 2004, for which records exist. The engagement was to separate the costs by specifically identified expenditure categories and distinguishes between the costs paid by a county and costs paid for or reimbursed by the state Judicial Branch. The counties included in the engagement were Cascade, Flathead, Gallatin, Lewis and Clark, Missoula, and Yellowstone. The legislation requires the results of the engagement be reported to the governor's budget office, the legislative audit committee, the legislative finance committee, and the law and justice interim committee by April 30, 2006.

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## Engagement Approach

The engagement was conducted using the Statements on Standards for Attestation Engagements or SSAEs issued by the American Institute of Certified Public Accountants Auditing Standards Board. The SSAEs are similar to Statements on Auditing Standards. The SSAEs provide flexibility in determining the scope of the engagement that other standards do not. This engagement called for a scope that was set in the text of Senate Bill 146, which does not include all of the components of a financial statement audit.

After Senate Bill 146 passed both houses of the Legislature and was signed into law, the Legislative Audit Division prepared to contract the engagements to a private firm. A limited solicitation procurement method was used for the engagements and the solicitation was sent to the firms that currently conduct the financial audits in each of the six counties. Anderson ZurMuehlen & Co.,



## Introduction

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P.C. was selected to conduct the engagements at each of the six counties.

The public defender costs were grouped into categories outlined in Senate Bill 146. The categories are as follows:

- ▶ Compensation
- ▶ Personal expenses, including travel, meals, and lodging
- ▶ Office operating costs, including rent, utilities, supplies, postage, copying, computer systems, and other office operating costs
- ▶ Professional and paraprofessional support services, including services provided by investigators, paralegals, researchers and secretaries
- ▶ Defense support services, including transcripts, witness, and other support
- ▶ Professional support, including professional education and training
- ▶ Costs of psychiatric evaluations, including the cost of examinations and other associated expenses
- ▶ Other services or support provided by the county to provide assigned, appointed, or contracted defense counsel in justice court and district court proceedings.

Fieldwork commenced in the fall of 2005. Representatives from the Legislative Audit Division and Anderson ZurMuehlen attended an entrance meeting at each county. At the completion of fieldwork, the same parties met to discuss the results. Final reports were issued for each county, which are incorporated into this report.

# County Profiles

## County Profiles

Each county runs its respective public defender operations with slight differences. Most of the county processes and systems have evolved over the six years included in the engagement period. Flathead County did not have a public defender office for the entire six-year period. Flathead County contracts with local attorneys for public defender services. Gallatin County did not have a public defender office until fiscal year 2004. Prior to Gallatin County opening a public defender office, all public defender services were contracted to private attorneys.

The other four counties maintained public defender offices for the entire engagement period, but different governance and philosophies among the counties resulted in differences in accounting for costs. For example, Flathead County and Yellowstone County considered Jury Fees to be public defender costs, but other counties did not. There are other differences, which are mentioned in the county information that follows.

Table 1 shows the total public defender costs for each county in each year of the engagement time period.

**Table 1**  
**Total Public Defender Costs**

<b>Fiscal Year</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
Cascade	\$ 607,025	\$ 647,860	\$ 841,043	\$1,154,522	\$797,055	\$626,807
Flathead	392,496	386,335	362,614	431,891	544,952	84,032
Gallatin	354,172	370,737	393,471	513,236	463,766	588,019
Lewis and Clark	274,893	273,939	316,870	329,161	393,366	404,560
Missoula	722,936	814,590	848,878	982,550	981,012	941,251
Yellowstone	1,191,827	1,258,820	1,429,919	1,531,218	1,443,344	1,489,913
Total	\$ 3,543,349	\$ 3,752,281	\$ 4,192,795	\$ 4,942,578	\$ 4,623,495	\$ 4,134,582

**Source: Compiled by Legislative Audit Division using contract accounting firm reports.**

## County Profiles

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The State of Montana reimbursed each county for a large part of the public defender costs in each of the years under review; however, the guidelines and rules governing reimbursement to the counties varied from year to year. The state Public Defender Reimbursement Program ran short of funds in fiscal years 2002 and 2003 so the counties did not receive all the eligible reimbursements in those years. The amounts not reimbursed were categorized as “Costs Paid by County” and allocated equally among reimbursement categories for the respective year and county.

Table 2 shows the percentage of total public defender costs reimbursed by the state. Tables 3 and 4 show the dollar amounts reimbursed by the state and the dollar amounts not reimbursed by the state, respectively.

**Table 2**  
**Percentage of Total Public Defender Costs Reimbursed by the State**

<b>Fiscal Year</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
Cascade	78.22%	94.14%	83.86%	57.10%	72.62%	87.68%
Flathead	106.86%	95.90%	92.14%	63.04%	93.89%	53.49%
Gallatin	63.70%	79.54%	74.81%	73.70%	69.08%	56.11%
Lewis and Clark	94.86%	98.54%	73.19%	57.72%	64.45%	60.25%
Missoula	88.51%	83.97%	59.92%	49.97%	54.26%	77.63%
Yellowstone	60.13%	83.38%	81.29%	58.86%	86.27%	75.83%

**Source: Compiled by Legislative Audit Division using contract accounting firm reports.**

**Table 3**

**Total Public Defender Costs Reimbursed by the State**

<b>Fiscal Year</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
Cascade	\$ 474,810	\$ 609,915	\$ 705,261	\$ 659,281	\$ 578,811	\$ 549,609
Flathead	419,425	370,490	334,127	272,255	511,682	44,952
Gallatin	225,607	294,895	294,344	378,252	320,377	329,923
Lewis and Clark	260,761	269,934	231,931	189,999	253,528	243,748
Missoula	639,897	684,014	508,617	490,964	532,277	730,740
Yellowstone	716,698	1,049,558	1,162,310	901,203	1,245,188	1,152,587
<b>Total</b>	<b>\$ 2,737,198</b>	<b>\$ 3,278,806</b>	<b>\$ 3,236,590</b>	<b>\$ 2,891,954</b>	<b>\$ 3,441,863</b>	<b>\$ 3,051,559</b>

**Source: Compiled by Legislative Audit Division using contract accounting firm reports.**

**Table 4**

**Total Public Defender Costs Not Reimbursed by the State**

<b>Fiscal Year</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
Cascade	\$ 132,215	\$ 37,945	\$ 135,782	\$ 495,241	\$ 218,244	\$ 77,198
Flathead	(26,929)	15,845	28,487	159,636	33,270	39,080
Gallatin	128,565	75,842	99,127	134,984	143,389	258,096
Lewis and Clark	14,132	4,005	84,939	139,162	139,838	160,812
Missoula	83,039	130,576	340,261	491,586	448,735	210,511
Yellowstone	475,129	209,262	267,609	630,015	198,156	337,326
<b>Total</b>	<b>\$ 806,151</b>	<b>\$ 473,475</b>	<b>\$ 956,205</b>	<b>\$ 2,050,624</b>	<b>\$ 1,181,632</b>	<b>\$ 1,083,023</b>

**Source: Compiled by Legislative Audit Division using contract accounting firm reports.**



# Cascade County

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## Cascade County

In fiscal years 2002 and 2003, Cascade County did not receive all of its eligible reimbursements from the State of Montana. Cascade County received 72% and 93%, respectively.

In the years reviewed, Cascade County financial records did not differentiate between District Court and Justice Court costs. We asked Cascade County officials to allocate the county costs, using percentages based on the average costs in recent years. “Costs paid by County” for fiscal years 1999-2004 were allocated between District Court and Justice Court at a rate of 92% to District Court and 8% to Justice Court.

Other services and support include grant in aid received from the State of Montana, youth in need of care, medical records, legal services, and reimbursements by defendants to Cascade County. Grant in aid was money received from the state at the end of the fiscal year. This reimbursement was for general public defender funds and was reimbursed as a percentage of the state’s remaining budget based on the size of the county’s public defender office. Therefore, it was not categorized within the existing sections and was added to “District Court Costs Reimbursed by State” and deducted from “District Court Costs Paid by County.”

Jury fees, witness services and court reporting for Cascade County are not considered public defender costs and therefore not included in the schedules.

The cost schedules in the following pages show a year-to-year comparison of the total public defender costs in Cascade County, regardless of whether the cost was paid by the county or reimbursed by the state. The remaining schedules present more detail. These schedules only show costs shown in county records and do not include costs that the state paid directly to vendors in the county for public defender related expenses.



# Cascade County

	Total Public Defender Costs					
	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Compensation	\$ 226,391	\$ 200,750	\$ 268,552	\$ 292,085	\$ 258,537	\$ 287,956
Personal Expenses	2,759	3,367	11,272	27,100	3,836	6,282
Office Operating Costs	24,007	29,540	43,787	41,303	38,026	42,195
Professional and Paraprofessional Support Services	84,848	117,470	144,033	258,805	239,163	180,079
Defense Support Services	16,800	19,704	51,489	39,398	1,575	2,101
Professional Support	875	735	1,799	2,445	345	2,229
Defendant Psychiatric Evaluations	140,719	92,076	98,693	193,896	36,581	34,324
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	110,626	184,218	221,418	299,490	218,992	71,641
Grand Total	\$ 607,025	\$ 647,860	\$ 841,043	\$ 1,154,522	\$ 797,055	\$ 626,807



# Cascade County

Public Defender Costs Fiscal Year 1999						
	Costs Paid by County		Costs Reimbursed by State		Total Public	
	District Court	Justice Court	District Court	Justice Court	Defender Costs	
Compensation	\$ 16,968	\$ 1,475	\$ 207,948	\$ -	\$	226,391
Personal Expenses	1,556	135	1,068	-		2,759
Office Operating Costs	12,582	1,094	10,331	-		24,007
Professional and Paraprofessional Support Services	-	-	84,848	-		84,848
Defense Support Services	594	52	16,154	-		16,800
Professional Support	805	70	-	-		875
Defendant Psychiatric Evaluations	46,054	4,005	90,660	-		140,719
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	38,522	8,303	63,801	-		110,626
Grand Total	\$ 117,081	\$ 15,134	\$ 474,810	\$ -	\$	607,025

# Cascade County

Public Defender Costs Fiscal Year 2000						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court	District Court	Justice Court
Compensation	\$ -	\$ -	\$ 200,750	\$ -	\$ -	\$ 200,750
Personal Expenses	1,579	137	1,651	-	-	3,367
Office Operating Costs	19,374	1,685	8,481	-	-	29,540
Professional and Paraprofessional Support Services	40	3	117,427	-	-	117,470
Defense Support Services	2,802	244	16,658	-	-	19,704
Professional Support	676	59	-	-	-	735
Defendant Psychiatric Evaluations	2,548	222	89,306	-	-	92,076
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	1,859	6,717	175,642	-	-	184,218
Grand Total	\$ 28,878	\$ 9,067	\$ 609,915	\$ -	\$ -	\$ 647,860

# Cascade County

Public Defender Costs Fiscal Year 2001						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court	District Court	Justice Court
Compensation	\$ 56,625	\$ 4,587	\$ 207,340	\$ -	\$ -	\$ 268,552
Personal Expenses	-	-	11,272	-	-	11,272
Office Operating Costs	19,960	1,736	22,091	-	-	43,787
Professional and Paraprofessional Support Services	-	-	144,033	-	-	144,033
Defense Support Services	16,625	1,446	33,418	-	-	51,489
Professional Support	1,655	144	-	-	-	1,799
Defendant Psychiatric Evaluations	26,994	2,347	69,352	-	-	98,693
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(47)	3,710	217,755	-	-	221,418
Grand Total	\$ 121,812	\$ 13,970	\$ 705,261	\$ -	\$ -	\$ 841,043

# Cascade County

Public Defender Costs Fiscal Year 2002						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court	District Court	Justice Court
Compensation	\$ 112,032	\$ 9,742	\$ 170,311	\$ -	\$ -	\$ 292,085
Personal Expenses	7,032	611	19,457	-	-	27,100
Office Operating Costs	29,710	1,276	10,317	-	-	41,303
Professional and Paraprofessional Support Services	79,628	6,925	172,252	-	-	258,805
Defense Support Services	16,000	1,392	22,006	-	-	39,398
Professional Support	2,249	196	-	-	-	2,445
Defendant Psychiatric Evaluations	114,973	9,998	68,925	-	-	193,896
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	97,286	6,191	196,013	-	-	299,490
Grand Total	\$ 458,910	\$ 36,331	\$ 659,281	\$ -	\$ -	\$ 1,154,522

# Cascade County

Public Defender Costs Fiscal Year 2003						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court	District Court	Justice Court
Compensation	\$ 24,518	\$ 2,132	\$ 231,887	\$ -	\$ -	\$ 258,537
Personal Expenses	2,268	197	1,371	-	-	3,836
Office Operating Costs	16,881	560	20,585	-	-	38,026
Professional and Paraprofessional Support Services	109,094	9,486	120,583	-	-	239,163
Defense Support Services	1,285	112	178	-	-	1,575
Professional Support	317	28	-	-	-	345
Defendant Psychiatric Evaluations	33,655	2,926	-	-	-	36,581
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	13,602	1,183	204,207	-	-	218,992
Grand Total	\$ 201,620	\$ 16,624	\$ 578,811	\$ -	\$ -	\$ 797,055

# Cascade County

Public Defender Costs Fiscal Year 2004						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court	District Court	Justice Court
Compensation	\$ 4,730	\$ 411	\$ 282,815	\$ -	\$ -	\$ 287,956
Personal Expenses	4,124	359	1,799	-	-	6,282
Office Operating Costs	14,479	1,259	26,457	-	-	42,195
Professional and Paraprofessional Support Services	6,925	602	172,552	-	-	180,079
Defense Support Services	1,550	135	416	-	-	2,101
Professional Support	2,051	178	-	-	-	2,229
Defendant Psychiatric Evaluations	31,578	2,746	-	-	-	34,324
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	5,586	485	65,570	-	-	71,641
Grand Total	\$ 71,023	\$ 6,175	\$ 549,609	\$ -	\$ -	\$ 626,807

# Flathead County

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## Flathead County

As mentioned earlier in this report, Flathead County does not have a physical office for the public defender. Flathead County contracts with attorneys to perform the functions of the public defender. For fiscal years 1999 through 2002, the attorneys were paid a set monthly amount based on the workload they were willing to accept. Flathead County contracted with several different attorneys each year. In fiscal years 2003 and 2004, the contracts for the attorneys were changed to pay on an hourly basis and also covered out of pocket costs such as copies and postage. Although the majority of the attorney costs were paid by the State of Montana in fiscal year 2004, Flathead County still paid for any parent appointed-council for dependent neglect cases.

In fiscal year 2002, Flathead County did not receive all of its eligible reimbursements from the State of Montana. Flathead County received 80% of its reimbursement for the first eleven months of the fiscal year. The twelfth month was reimbursed at 41%. At the end of the fiscal year, the state was unable to pay the remaining percentage. The amount not reimbursed was categorized as “Costs Paid by County.”

Although state assumption started on July 1, 2002, Flathead County was already under contract with attorneys to provide public defender services. Flathead County continued to be reimbursed for these costs until the end of fiscal year 2003, when the contracts expired. The State assumed these costs starting in fiscal year 2004.

Because Flathead County contracts with attorneys for public defender services, there are minimal office operating costs. Office operating costs consist of telephone expenses, all general office operating expenses, and also include the supplies portion of the contracts with the attorneys.

Other services and support include all jury fees, the grant in aid received from the state, youth in need of care, medical records and

## **Flathead County**

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legal services. Jury fees and youth in need of care costs for Flathead County are considered public defender costs.

Grant in aid was money received from the state at the end of the fiscal year. This reimbursement was for general public defender funds and was reimbursed as a percentage of the state's remaining budget based on the size of the county's public defender office. Therefore, it was not categorized within the existing sections and was added to "District Court Costs Reimbursed by State" and deducted from "District Court Costs Paid by County".

The cost schedules in the following pages show a year-to-year comparison of the total public defender costs in Flathead County, regardless of whether the cost was paid by the county or reimbursed by the state. The remaining schedules present more detail. These schedules only show costs shown in county records and do not include costs that the state paid directly to vendors in the county for public defender related expenses.



# Flathead County

	Total Public Defender Costs					
	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Compensation	\$ 17,000	\$ 20,727	\$ 18,200	\$ 24,266	\$ -	\$ -
Personal Expenses	116	34	819	315	-	-
Office Operating Costs	80,705	68,293	67,952	68,839	94	187
Professional and Paraprofessional Support Services	44,782	52,268	25,174	27,436	2,251	-
Defense Support Services	13,639	14,597	9,662	53,092	-	-
Professional Support	-	-	745	460	-	-
Defendant Psychiatric Evaluations	20,177	13,533	7,471	18,058	44,897	-
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	216,077	216,883	232,591	239,425	497,710	83,845
Grand Total	\$ 392,496	\$ 386,335	\$ 362,614	\$ 431,891	\$ 544,952	\$ 84,032

# Flathead County

Public Defender Costs Fiscal Year 1999						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ -	\$ -	\$ 17,000	\$ -	\$ 17,000	
Personal Expenses	116	-	-	-	116	
Office Operating Costs	3,312	-	77,393	-	80,705	
Professional and Paraprofessional Support Services	1,490	-	43,292	-	44,782	
Defense Support Services	2,465	-	11,174	-	13,639	
Professional Support	-	-	-	-	-	
Defendant Psychiatric Evaluations	2,818	-	17,359	-	20,177	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(53,958)	16,828	253,207	-	216,077	
Grand Total	\$ (43,757)	\$ 16,828	\$ 419,425	\$ -	\$ 392,496	

# Flathead County

Public Defender Costs Fiscal Year 2000						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ -	\$ -	\$ 20,727	\$ -	\$ 20,727	
Personal Expenses	11	-	23	-	34	
Office Operating Costs	2	-	68,291	-	68,293	
Professional and Paraprofessional Support Services	9,658	-	42,610	-	52,268	
Defense Support Services	1,023	-	13,574	-	14,597	
Professional Support	-	-	-	-	-	
Defendant Psychiatric Evaluations	3,620	-	9,913	-	13,533	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(19,089)	20,620	215,352	-	216,883	
Grand Total	\$ (4,775)	\$ 20,620	\$ 370,490	\$ -	\$ 386,335	

# Flathead County

Public Defender Costs Fiscal Year 2001					
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs
	District Court	Justice Court	District Court	Justice Court	
Compensation	\$ 81	\$ -	\$ 18,119	\$ -	\$ 18,200
Personal Expenses	43	-	776	-	819
Office Operating Costs	1,022	-	66,930	-	67,952
Professional and Paraprofessional Support Services	992	-	24,182	-	25,174
Defense Support Services	389	-	9,273	-	9,662
Professional Support	745	-	-	-	745
Defendant Psychiatric Evaluations	1,799	-	5,672	-	7,471
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	3,111	20,305	209,175	-	232,591
Grand Total	\$ 8,182	\$ 20,305	\$ 334,127	\$ -	\$ 362,614

# Flathead County

Public Defender Costs Fiscal Year 2002						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 3,304	\$ -	\$ 20,962	\$ -	\$ 24,266	
Personal Expenses	215	-	100	-	315	
Office Operating Costs	18,388	-	50,451	-	68,839	
Professional and Paraprofessional Support Services	9,028	-	18,408	-	27,436	
Defense Support Services	16,278	-	36,814	-	53,092	
Professional Support	160	-	300	-	460	
Defendant Psychiatric Evaluations	9,215	-	8,843	-	18,058	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	76,642	26,406	136,377	-	239,425	
Grand Total	\$ 133,230	\$ 26,406	\$ 272,255	\$ -	\$ 431,891	

# Flathead County

Public Defender Costs Fiscal Year 2003					
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs
	District Court	Justice Court	District Court	Justice Court	
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -
Personal Expenses	-	-	-	-	-
Office Operating Costs	94	-	-	-	94
Professional and Paraprofessional Support Services	-	-	2,251	-	2,251
Defense Support Services	-	-	-	-	-
Professional Support	-	-	-	-	-
Defendant Psychiatric Evaluations	2,436	-	42,461	-	44,897
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	11,399	19,341	466,970	-	497,710
Grand Total	\$ 13,929	\$ 19,341	\$ 511,682	\$ -	\$ 544,952

# Flathead County

Public Defender Costs Fiscal Year 2004						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court	District Court	Justice Court
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Personal Expenses	-	-	-	-	-	-
Office Operating Costs	-	-	187	-	-	187
Professional and Paraprofessional Support Services	-	-	-	-	-	-
Defense Support Services	-	-	-	-	-	-
Professional Support	-	-	-	-	-	-
Defendant Psychiatric Evaluations	-	-	-	-	-	-
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	7,508	31,572	44,765	-	-	83,845
Grand Total	\$ 7,508	\$ 31,572	\$ 44,952	\$ -	\$ -	\$ 84,032

# Gallatin County

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## Gallatin County

In fiscal years 2002 and 2003, Gallatin County did not receive all of its eligible reimbursements from the State of Montana. In fiscal year 2002, Gallatin County received 80% of its reimbursement for the first eleven months of the fiscal year. At the end of the twelfth month, the state was unable to pay the remaining 20% for each of the prior months nor were they able to pay all of the twelfth month's reimbursements. In fiscal year 2003, Gallatin County received 95% of the eligible reimbursement.

In fiscal year 2004, Gallatin County opened a separate public defender's office. Until that time, all public defender services were contracted out to independent area lawyers. In fiscal year 2004, the new office also assumed many of the costs associated with the Justice Court. These costs are co-mingled with the District Court costs and cannot be separated for that fiscal year. However, the Justice Court did pay a stipend of \$37,544 in fiscal 2004 to the public defender office to help defray the additional costs.

Although allowable, vacation and sick leave for employees were not requested for reimbursement by Gallatin County. The amount of vacation and sick leave allocated to "District Court Costs Paid by County" was based upon the percentage of employee salaries reimbursed by the state.

Other services and support include grant in aid received from the state, youth in need of care, start up costs, reimbursement and legal services. Grant in aid was money received from the state at the end of the fiscal year.

This reimbursement was for general public defender funds and was reimbursed as a percentage of the state's remaining budget based on the size of the county's public defender office. Therefore, it was not categorized within the existing sections and was added to "District Court Costs Reimbursed by State" and deducted from "District Court Costs Paid by County". Start up costs include furniture and equipment purchases as well as other costs associated with opening the separate public defender's office in fiscal year



## **Gallatin County**

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2004. Legal services include the contracts paid to area lawyers for public defender services for fiscal years 1999-2003. The reimbursement costs include restitution paid by defendants to Gallatin County.

Per discussion with Gallatin County staff, jury costs and court reporting are not considered public defender costs.

The cost schedules in the following pages show a year-to-year comparison of the total public defender costs in Gallatin County, regardless of whether the cost was paid by the county or reimbursed by the state. The remaining schedules present more detail. These schedules only show costs shown in county records and do not include costs that the state paid directly to vendors in the county for public defender related expenses.

# Gallatin County

	Total Public Defender Costs					
	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 112,430
Personal Expenses	518	1,231	3,760	2,679	857	4,442
Office Operating Costs	1,262	845	1,020	1,048	1,240	80,659
Professional and Paraprofessional Support Services	40,354	32,364	30,290	50,484	67,638	79,786
Defense Support Services	68,589	47,158	58,123	93,596	52,492	50,118
Professional Support	-	-	-	-	-	1,929
Defendant Psychiatric Evaluations	13,396	21,896	17,973	34,782	11,050	3,147
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	230,053	267,243	282,305	330,647	330,489	255,508
Grand Total	\$ 354,172	\$ 370,737	\$ 393,471	\$ 513,236	\$ 463,766	\$ 588,019

# Gallatin County

Public Defender Costs Fiscal Year 1999					
	Costs Paid by County		Costs Reimbursed by State		Total Public
	District Court	Justice Court	District Court	Justice Court	Defender Costs
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -
Personal Expenses	126	-	392	-	518
Office Operating Costs	-	-	1,262	-	1,262
Professional and Paraprofessional Support Services	539	-	39,815	-	40,354
Defense Support Services	30,670	3,929	33,990	-	68,589
Professional Support	-	-	-	-	-
Defendant Psychiatric Evaluations	-	-	13,396	-	13,396
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	46,383	46,918	136,752	-	230,053
Grand Total	\$ 77,718	\$ 50,847	\$ 225,607	\$ -	\$ 354,172

# Gallatin County

Public Defender Costs Fiscal Year 2000						
	Costs Paid by County		Costs Reimbursed by State		Total Public	
	District Court	Justice Court	District Court	Justice Court	District Court	Defender Costs
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	-
Personal Expenses	-	-	1,231	-	-	1,231
Office Operating Costs	-	-	845	-	-	845
Professional and Paraprofessional Support Services	4,433	-	27,931	-	-	32,364
Defense Support Services	19,033	5,520	22,605	-	-	47,158
Professional Support	-	-	-	-	-	-
Defendant Psychiatric Evaluations	-	-	21,896	-	-	21,896
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(814)	47,670	220,387	-	-	267,243
Grand Total	\$ 22,652	\$ 53,190	\$ 294,895	\$ -	\$ -	\$ 370,737

# Gallatin County

Public Defender Costs Fiscal Year 2001						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	
Personal Expenses	-	-	3,760	-	3,760	
Office Operating Costs	-	-	1,020	-	1,020	
Professional and Paraprofessional Support Services	17,083	-	13,207	-	30,290	
Defense Support Services	33,203	4,748	20,172	-	58,123	
Professional Support	-	-	-	-	-	
Defendant Psychiatric Evaluations	-	-	17,973	-	17,973	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(3,875)	47,968	238,212	-	282,305	
Grand Total	\$ 46,411	\$ 52,716	\$ 294,344	\$ -	\$ 393,471	

# Gallatin County

Public Defender Costs Fiscal Year 2002						
	Costs Paid by County		Costs Reimbursed by State		Total Public	
	District Court	Justice Court	District Court	Justice Court	District Court	Defender Costs
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	-
Personal Expenses	-	-	2,679	-	-	2,679
Office Operating Costs	-	-	1,048	-	-	1,048
Professional and Paraprofessional Support Services	21,550	-	28,934	-	-	50,484
Defense Support Services	23,481	6,842	63,273	-	-	93,596
Professional Support	-	-	-	-	-	-
Defendant Psychiatric Evaluations	-	-	34,782	-	-	34,782
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	42,352	40,759	247,536	-	-	330,647
Grand Total	\$ 87,383	\$ 47,601	\$ 378,252	\$ -	\$ -	513,236

# Gallatin County

Public Defender Costs Fiscal Year 2003						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	-
Personal Expenses	857	-	-	-	857	857
Office Operating Costs	71	-	1,169	-	1,240	1,240
Professional and Paraprofessional Support Services	45,111	-	22,527	-	67,638	67,638
Defense Support Services	19,541	11,843	21,108	-	52,492	52,492
Professional Support	-	-	-	-	-	-
Defendant Psychiatric Evaluations	605	-	10,445	-	11,050	11,050
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	15,351	50,010	265,128	-	330,489	330,489
Grand Total	\$ 81,536	\$ 61,853	\$ 320,377	\$ -	\$ 463,766	463,766

# Gallatin County

Public Defender Costs Fiscal Year 2004					
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs
	District Court	Justice Court	District Court	Justice Court	
Compensation	\$ 111,746	\$ -	\$ 684	\$ -	\$ 112,430
Personal Expenses	3,744	-	698	-	4,442
Office Operating Costs	64,109	-	16,550	-	80,659
Professional and Paraprofessional Support Services	11,533	-	68,253	-	79,786
Defense Support Services	34,475	8,572	7,071	-	50,118
Professional Support	1,687	-	242	-	1,929
Defendant Psychiatric Evaluations	(1)	-	3,148	-	3,147
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	9,092	13,139	233,277	-	255,508
Grand Total	\$ 236,385	\$ 21,711	\$ 329,923	\$ -	\$ 588,019



# Lewis and Clark County

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## Lewis and Clark County

In fiscal year 2002, Lewis and Clark County did not receive all of its eligible reimbursements from the State of Montana. Lewis and Clark County received 80% of its reimbursement for the first eleven months of the fiscal year. At the end of the twelfth month, the State was unable to pay the remaining 20% for each of the prior months nor were they able to pay all of the twelfth month's reimbursements.

Although allowable, vacation and sick leave for employees were not requested for reimbursement by Lewis and Clark County. The amount of vacation and sick leave allocated to "District Court Costs Paid by County" was based on the percentage of employee salaries requested for reimbursement from the State.

For fiscal years 1999-2002, rent costs were partially reimbursable. Starting in fiscal year 2003, the state completely disallowed rent reimbursement. Therefore, the amount allocated to the public defenders by Lewis and Clark County is included in both "District Court Costs Paid by County" and "District Court Costs Paid by State" in 1999-2002.

Other services and support include grant in aid received from the State of Montana, youth in need of care, medical records and legal services. Grant in aid was money received from the state at the end of the fiscal year. This reimbursement was for general public defender funds and was reimbursed as a percentage of the state's remaining budget based on the size of the county's public defender office. Therefore, it was not categorized within the existing sections and was added to "District Court Costs Reimbursed by State" and deducted from "District Courts Costs Paid by County".

Jury fees and youth in need of care costs for Lewis and Clark County are not considered public defender costs and therefore not included in the schedules.

The cost schedules in the following pages show a year-to-year comparison of the total public defender costs in Lewis and Clark

## **Lewis and Clark County**

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County, regardless of whether the cost was paid by the county or reimbursed by the state. The remaining schedules present more detail. These schedules only show costs shown in county records and do not include costs that the state paid directly to vendors in the county for public defender related expenses.

# Lewis & Clark County

	Total Public Defender Costs					
	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Compensation	\$ 203,165	\$ 211,372	\$ 233,001	\$ 268,659	\$ 317,059	\$ 350,028
Personal Expenses	363	514	352	1,069	514	-
Office Operating Costs	24,699	33,066	17,846	20,899	43,562	46,635
Professional and Paraprofessional Support Services	2,179	5,462	6,743	2,065	2,814	-
Defense Support Services	5,916	5,707	6,041	19,743	6,743	442
Professional Support	664	1,953	1,664	2,406	1,585	5,075
Defendant Psychiatric Evaluations	37,907	14,023	20,927	14,115	13,217	1,900
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	-	1,842	30,296	205	7,872	480
Grand Total	\$ 274,893	\$ 273,939	\$ 316,870	\$ 329,161	\$ 393,366	\$ 404,560

# Lewis & Clark County

Public Defender Costs Fiscal Year 1999						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 11,192	\$ 67,949	\$ 124,024	\$ -	\$ 203,165	
Personal Expenses	43	-	320	-	363	
Office Operating Costs	9,097	-	15,602	-	24,699	
Professional and Paraprofessional Support Services	-	-	2,179	-	2,179	
Defense Support Services	463	-	5,453	-	5,916	
Professional Support	664	-	-	-	664	
Defendant Psychiatric Evaluations	4,750	-	33,157	-	37,907	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(80,026)	-	80,026	-	-	
Grand Total	\$ (53,817)	\$ 67,949	\$ 260,761	\$ -	\$ 274,893	

# Lewis & Clark County

Public Defender Costs Fiscal Year 2000						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 5,844	\$ 89,449	\$ 116,079	\$ -	\$	211,372
Personal Expenses	53	-	461	-		514
Office Operating Costs	25,377	-	7,689	-		33,066
Professional and Paraprofessional Support Services	-	-	5,462	-		5,462
Defense Support Services	2,093	-	3,614	-		5,707
Professional Support	1,953	-	-	-		1,953
Defendant Psychiatric Evaluations	950	-	13,073	-		14,023
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(121,714)	-	123,556	-		1,842
Grand Total	\$ (85,444)	\$ 89,449	\$ 269,934	\$ -	\$	273,939

# Lewis & Clark County

Public Defender Costs Fiscal Year 2001						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 7,663	\$ 98,574	\$ 126,764	\$ -	\$	233,001
Personal Expenses	6	-	346	-		352
Office Operating Costs	4,858	-	12,988	-		17,846
Professional and Paraprofessional Support Services	1,134	-	5,609	-		6,743
Defense Support Services	-	-	6,041	-		6,041
Professional Support	1,664	-	-	-		1,664
Defendant Psychiatric Evaluations	620	-	20,307	-		20,927
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(29,580)	-	59,876	-		30,296
Grand Total	\$ (13,635)	\$ 98,574	\$ 231,931	\$ -	\$	316,870

# Lewis & Clark County

Public Defender Costs Fiscal Year 2002						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 50,164	\$ 69,647	\$ 148,848	\$ -	\$	268,659
Personal Expenses	347	-	722	-		1,069
Office Operating Costs	8,437	-	12,462	-		20,899
Professional and Paraprofessional Support Services	413	-	1,652	-		2,065
Defense Support Services	4,036	-	15,707	-		19,743
Professional Support	2,406	-	-	-		2,406
Defendant Psychiatric Evaluations	3,507	-	10,608	-		14,115
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	205	-	-	-		205
Grand Total	\$ 69,515	\$ 69,647	\$ 189,999	\$ -	\$	329,161

# Lewis & Clark County

Public Defender Costs Fiscal Year 2003						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 15,595	\$ 77,911	\$ 223,553	\$ -	\$	317,059
Personal Expenses	13	-	501	-		514
Office Operating Costs	36,945	-	6,617	-		43,562
Professional and Paraprofessional Support Services	-	-	2,814	-		2,814
Defense Support Services	315	-	6,428	-		6,743
Professional Support	1,585	-	-	-		1,585
Defendant Psychiatric Evaluations	7,474	-	5,743	-		13,217
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	-	-	7,872	-		7,872
Grand Total	\$ 61,927	\$ 77,911	\$ 253,528	\$ -	\$	393,366



# Lewis & Clark County

Public Defender Costs Fiscal Year 2004					
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs
	District Court	Justice Court	District Court	Justice Court	
Compensation	\$ 21,057	\$ 94,333	\$ 234,638	-	\$ 350,028
Personal Expenses	-	-	-	-	-
Office Operating Costs	38,447	-	8,188	-	46,635
Professional and Paraprofessional Support Services	-	-	-	-	-
Defense Support Services	-	-	442	-	442
Professional Support	5,075	-	-	-	5,075
Defendant Psychiatric Evaluations	1,900	-	-	-	1,900
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	-	-	480	-	480
Grand Total	\$ 66,479	\$ 94,333	\$ 243,748	\$ -	\$ 404,560

# Missoula County

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## Missoula County

In fiscal years 2002 and 2003, Missoula County did not receive all of its eligible reimbursements from the State of Montana. Missoula County received 80% of its reimbursements.

In the years reviewed, Missoula County records did not differentiate between District Court and Justice Court costs. We asked Missoula County officials to allocate the county costs. "Costs Paid by County" for fiscal years 1999-2004 were allocated between District Court and Justice Court based on the average costs in fiscal years 2004 and 2005. Justice Court costs averaged 16.7%. The remaining 83.3% were District Court costs.

Costs allocated by methods other than the above percentage were Defendant Psychiatric Evaluations and Defense Support Services. All non-reimbursed Defendant Psychiatric Evaluation costs were recorded as "Costs Paid by County-District Court". All Defense Support Services not reimbursed by the state were recorded as "Costs Paid by County-Justice Court".

Missoula County did not seek reimbursement for rent, thus rent was included as "District Court Costs Paid by County."

Other services and support includes grant in aid received from the State of Montana, youth in need of care, medical records and legal services. All youth in need of care costs were reimbursed by the state. Grant in aid was money received from the state at the end of the fiscal year. This reimbursement was for general public defender funds and was reimbursed as a percentage of the state's remaining budget based on the size of the county's public defender office. Therefore, it was not categorized within the existing sections and was added to "District Court Costs Reimbursed by State" and deducted from "District Court Costs Paid by County".

Jury fees for Missoula County are not considered public defender costs and therefore not included in the schedules

## **Missoula County**

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The cost schedules in the following pages show a year-to-year comparison of the total public defender costs in Missoula County, regardless of whether the cost was paid by the county or reimbursed by the state. The remaining schedules present more detail. These schedules only show costs shown in county records and do not include costs that the state paid directly to vendors in the county for public defender related expenses.

# Missoula County

	Total Public Defender Costs					
	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Compensation	\$ 493,142	\$ 506,080	\$ 625,339	\$ 663,476	\$ 752,687	\$ 765,255
Personal Expenses	10,277	10,588	13,657	16,283	11,560	9,138
Office Operating Costs	63,036	70,672	25,159	28,040	40,177	38,203
Professional and Paraprofessional Support Services	-	-	-	-	-	-
Defense Support Services	8,627	17,543	3,245	9,279	5,022	169
Professional Support	21,736	27,894	22,802	44,145	21,080	25,844
Defendant Psychiatric Evaluations	77,454	49,675	62,535	97,414	30,716	23,201
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	48,664	132,138	96,141	123,913	119,770	79,441
Grand Total	\$ 722,936	\$ 814,590	\$ 848,878	\$ 982,550	\$ 981,012	\$ 941,251

# Missoula County

Public Defender Costs Fiscal Year 1999						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 102,768	\$ 82,355	\$ 308,019	\$ -	\$ 493,142	
Personal Expenses	3,883	1,775	4,619	-	10,277	
Office Operating Costs	42,599	10,527	9,910	-	63,036	
Professional and Paraprofessional Support Services	-	-	-	-	-	
Defense Support Services	-	180	8,447	-	8,627	
Professional Support	18,106	3,630	-	-	21,736	
Defendant Psychiatric Evaluations	22,975	-	54,479	-	77,454	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(217,970)	12,211	254,423	-	48,664	
Grand Total	\$ (27,639)	\$ 110,678	\$ 639,897	\$ -	\$ 722,936	

# Missoula County

Public Defender Costs Fiscal Year 2000						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 59,187	\$ 84,515	\$ 362,378	\$ -	\$ 506,080	
Personal Expenses	7,740	1,768	1,080	-	10,588	
Office Operating Costs	44,365	11,802	14,505	-	70,672	
Professional and Paraprofessional Support Services	-	-	-	-	-	
Defense Support Services	-	1,080	16,463	-	17,543	
Professional Support	23,236	4,658	-	-	27,894	
Defendant Psychiatric Evaluations	21,799	-	27,876	-	49,675	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(142,682)	13,108	261,712	-	132,138	
Grand Total	\$ 13,645	\$ 116,931	\$ 684,014	\$ -	\$ 814,590	

# Missoula County

Public Defender Costs Fiscal Year 2001						
	Costs Paid by County		Costs Reimbursed by State		Total Public	
	District Court	Justice Court	District Court	Justice Court	District Court	Defender Costs
Compensation	\$ 174,923	\$ 104,432	\$ 345,984	\$ -	\$ -	\$ 625,339
Personal Expenses	10,982	2,281	394	-	-	13,657
Office Operating Costs	8,510	1,706	14,943	-	-	25,159
Professional and Paraprofessional Support Services	-	-	-	-	-	-
Defense Support Services	-	814	2,431	-	-	3,245
Professional Support	18,994	3,808	-	-	-	22,802
Defendant Psychiatric Evaluations	15,093	-	47,442	-	-	62,535
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(11,932)	10,650	97,423	-	-	96,141
Grand Total	\$ 216,570	\$ 123,691	\$ 508,617	\$ -	\$ -	\$ 848,878

# Missoula County

Public Defender Costs Fiscal Year 2002						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 216,661	\$ 110,801	\$ 336,014	\$ -	\$ 663,476	
Personal Expenses	13,351	2,719	213	-	16,283	
Office Operating Costs	1,711	4,683	21,646	-	28,040	
Professional and Paraprofessional Support Services	-	-	-	-	-	
Defense Support Services	1,287	2,642	5,350	-	9,279	
Professional Support	36,772	7,373	-	-	44,145	
Defendant Psychiatric Evaluations	55,708	-	41,706	-	97,414	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	23,131	14,747	86,035	-	123,913	
Grand Total	\$ 348,621	\$ 142,965	\$ 490,964	\$ -	\$ 982,550	



# Missoula County

Public Defender Costs Fiscal Year 2003						
	Costs Paid by County		Costs Reimbursed by State			Total Public Defender Costs
	District Court	Justice Court	District Court	Justice Court	Justice Court	
Compensation	\$ 234,949	\$ 125,699	\$ 392,039	\$ -	-	\$ 752,687
Personal Expenses	4,209	1,931	5,420	-	-	11,560
Office Operating Costs	15,103	6,710	18,364	-	-	40,177
Professional and Paraprofessional Support Services	-	-	-	-	-	-
Defense Support Services	66	2,742	2,214	-	-	5,022
Professional Support	2,653	3,520	14,907	-	-	21,080
Defendant Psychiatric Evaluations	13,216	-	17,500	-	-	30,716
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	18,119	19,818	81,833	-	-	119,770
Grand Total	\$ 288,315	\$ 160,420	\$ 532,277	\$ -	-	\$ 981,012

# Missoula County

Public Defender Costs Fiscal Year 2004						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ -	\$ 122,210	\$ 643,045	\$ -	\$ -	765,255
Personal Expenses	4,148	1,526	3,464	-	-	9,138
Office Operating Costs	12,600	6,380	19,223	-	-	38,203
Professional and Paraprofessional Support Services	-	-	-	-	-	-
Defense Support Services	-	72	97	-	-	169
Professional Support	-	4,192	21,652	-	-	25,844
Defendant Psychiatric Evaluations	23,201	-	-	-	-	23,201
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	22,915	13,267	43,259	-	-	79,441
Grand Total	\$ 62,864	\$ 147,647	\$ 730,740	\$ -	\$ -	\$ 941,251

# Yellowstone County

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## Yellowstone County

In fiscal years 2002 and 2003, Yellowstone County did not receive 100% of its eligible reimbursements from the State of Montana. Yellowstone County received 71% and 97%, respectively, for these fiscal years.

Rent is partially reimbursable. Therefore, the amount allocated to the public defenders by Yellowstone County is included in both “District Courts Costs Paid by County” and “District Court Costs Paid by State.”

Other services and support include grant in aid received from the state, youth in need of care, medical records and legal services. Grant in aid was money received from the state at the end of the fiscal year. This reimbursement was for general public defender funds and was reimbursed as a percentage of the state’s remaining budget based on the size of the county’s public defender office. Therefore, it was not categorized within the existing sections and was added to "District Court Costs Reimbursed by State" and deducted from "District Court Costs Paid by County". The reimbursement category includes restitution paid by defendants to the Yellowstone County.

The cost schedules in the following pages show a year-to-year comparison of the total public defender costs in Yellowstone County, regardless of whether the cost was paid by the county or reimbursed by the state. The remaining schedules present more detail. These schedules only show costs shown in county records and do not include costs that the state paid directly to vendors in the county for public defender related expenses.



# Yellowstone County

	Total Public Defender Costs					
	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Compensation	\$ 513,847	\$ 527,391	\$ 583,901	\$ 632,123	\$ 602,046	\$ 768,602
Personal Expenses	15,190	10,662	18,575	19,751	16,170	34,711
Office Operating Costs	78,662	80,499	81,254	98,355	91,039	136,276
Professional and Paraprofessional Support Services	192,096	176,299	217,611	279,848	260,845	174,997
Defense Support Services	10,564	28,932	37,659	31,446	16,301	16,970
Professional Support	3,249	4,408	4,885	5,198	5,473	3,905
Defendant Psychiatric Evaluations	37,645	48,839	58,558	47,500	8,344	525
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	340,574	381,790	427,476	416,997	443,126	353,927
Grand Total	\$ 1,191,827	\$ 1,256,820	\$ 1,429,919	\$ 1,531,218	\$ 1,443,344	\$ 1,489,913

# Yellowstone County

Public Defender Costs Fiscal Year 1999						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 305,558	\$ 63,933	\$ 144,356	\$ -	\$ 513,847	
Personal Expenses	14,455	-	735	-	15,190	
Office Operating Costs	56,719	680	21,263	-	78,662	
Professional and Paraprofessional Support Services	113,563	-	78,533	-	192,096	
Defense Support Services	1,245	-	9,319	-	10,564	
Professional Support	3,249	-	-	-	3,249	
Defendant Psychiatric Evaluations	18,907	75	18,663	-	37,645	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(106,680)	3,425	443,829	-	340,574	
Grand Total	\$ 407,016	\$ 68,113	\$ 716,698	\$ -	\$ 1,191,827	

# Yellowstone County

Public Defender Costs Fiscal Year 2000						
	Costs Paid by County		Costs Reimbursed by State		Total Public	
	District Court	Justice Court	District Court	Justice Court	District Court	Defender Costs
Compensation	\$ 104,882	\$ 71,624	\$ 350,885	\$ -	\$ -	527,391
Personal Expenses	10,186	-	476	-	-	10,662
Office Operating Costs	33,351	-	47,148	-	-	80,499
Professional and Paraprofessional Support Services	-	-	176,299	-	-	176,299
Defense Support Services	1,451	-	27,481	-	-	28,932
Professional Support	4,408	-	-	-	-	4,408
Defendant Psychiatric Evaluations	14,319	600	33,920	-	-	48,839
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(33,853)	2,294	413,349	-	-	381,790
Grand Total	\$ 134,744	\$ 74,518	\$ 1,049,558	\$ -	\$ -	1,258,820

# Yellowstone County

Public Defender Costs Fiscal Year 2001						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court	District Court	Justice Court
Compensation	\$ 113,921	\$ 62,879	\$ 407,101	\$ -	\$ -	\$ 583,901
Personal Expenses	17,218	-	1,357	-	-	18,575
Office Operating Costs	25,905	-	55,349	-	-	81,254
Professional and Paraprofessional Support Services	-	-	217,611	-	-	217,611
Defense Support Services	965	-	36,694	-	-	37,659
Professional Support	4,885	-	-	-	-	4,885
Defendant Psychiatric Evaluations	12,588	1,850	44,120	-	-	58,558
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	20,612	6,786	400,078	-	-	427,476
Grand Total	\$ 196,094	\$ 71,515	\$ 1,162,310	\$ -	\$ -	\$ 1,429,919



# Yellowstone County

Public Defender Costs Fiscal Year 2002						
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs	
	District Court	Justice Court	District Court	Justice Court		
Compensation	\$ 268,607	\$ 41,214	\$ 322,302	\$ -	\$ 632,123	
Personal Expenses	18,561	-	1,190	-	19,751	
Office Operating Costs	52,404	-	45,951	-	98,355	
Professional and Paraprofessional Support Services	83,116	-	196,732	-	279,848	
Defense Support Services	9,225	-	22,221	-	31,446	
Professional Support	5,198	-	-	-	5,198	
Defendant Psychiatric Evaluations	32,891	1,550	13,059	-	47,500	
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	114,162	3,087	299,748	-	416,997	
Grand Total	\$ 584,164	\$ 45,851	\$ 901,203	\$ -	\$ 1,531,218	

# Yellowstone County

Public Defender Costs Fiscal Year 2003						
	Costs Paid by County		Costs Reimbursed by State		Total Public	
	District Court	Justice Court	District Court	Justice Court	District Court	Defender Costs
Compensation	\$ 42,933	\$ 51,794	\$ 507,319	\$ -	\$ -	602,046
Personal Expenses	5,893	-	10,277	-	-	16,170
Office Operating Costs	45,642	-	45,397	-	-	91,039
Professional and Paraprofessional Support Services	8,879	-	251,966	-	-	260,845
Defense Support Services	532	-	15,769	-	-	16,301
Professional Support	5,425	-	48	-	-	5,473
Defendant Psychiatric Evaluations	1,987	650	5,707	-	-	8,344
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	26,591	7,830	408,705	-	-	443,126
Grand Total	\$ 137,882	\$ 60,274	\$ 1,245,188	\$ -	\$ -	\$ 1,443,344

# Yellowstone County

Public Defender Costs Fiscal Year 2004					
	Costs Paid by County		Costs Reimbursed by State		Total Public Defender Costs
	District Court	Justice Court	District Court	Justice Court	
Compensation	\$ 276,147	\$ 57,190	\$ 435,265	\$ -	\$ 768,602
Personal Expenses	16,949	1,020	16,742	-	34,711
Office Operating Costs	90,399	-	45,877	-	136,276
Professional and Paraprofessional Support Services	5,150	-	169,847	-	174,997
Defense Support Services	3,407	-	13,563	-	16,970
Professional Support	2,503	180	1,222	-	3,905
Defendant Psychiatric Evaluations	525	-	-	-	525
Other Services/Support provided by the county to provide assigned, appointed, or contracted defense counsel in Justice and District Court Proceedings	(151,800)	35,656	470,071	-	353,927
Grand Total	\$ 243,280	\$ 94,046	\$ 1,152,587	\$ -	\$ 1,489,913